

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
355 Main Street
Poughkeepsie, NY 12601

IN RE: Jeffrey C. Burfeindt

CASE NO.: 10-38976-cgm

Social Security/Taxpayer ID/Employer ID/Other Nos.:
xxx-xx-9099

CHAPTER: 7

NOTICE OF HEARING

PLEASE TAKE NOTICE that a hearing will be held before the Honorable Cecelia G. Morris at the U.S. Bankruptcy Court, Poughkeepsie Office, 355 Main Street, Poughkeepsie, NY 12601, on May 10, 2011 at 09:00 AM to consider why this case should not be closed without entering an Order of Discharge for debtor's failure to complete — *after* the petition was filed [pursuant to 11 U.S.C. § 727(a)(11)] — an instructional course concerning personal financial management and failure to file Official Form 23 pursuant to Bankruptcy Rule 1007(b)(7) & (c).

Please be advised that if the debtor fully complies with the requirements referred to in the above paragraph PRIOR to the day of the hearing, the hearing will be canceled. A copy of this notice should be included with any document that is filed with the Court as a response to this notice. **Your failure to file Official Form 23 may result in the closing of your case without the issuance of a discharge.**

A blank copy of Official Form 23 (*Debtor's Certification of Completion of Postpetition Instructional Course Concerning Personal Financial Management*) has been included in this correspondence.

Dated: April 21, 2011

Vito Genna
Clerk of Court

Individual debtors in chapter 7 and 13 cases should **not** confuse the pre-filing *credit counseling requirement* with the *separate* requirement of completing an **instructional course concerning personal financial management** after the case has been filed. To obtain a discharge in a chapter 7 or 13 case, the debtor must certify (using Official Form 23) that he or she has completed the instructional course.

The debtor must take the instructional course from a provider approved by the United States Trustee for this judicial district (Southern District of New York). To obtain the list of approved course providers for this district, go to www.usdoj.gov/ust/eo/bapcpa/ccde/de_approved.htm or use the link (to that website) available on the Court's website [www.nysb.uscourts.gov].

United States Bankruptcy Court
Southern District of New York

In re _____,
Debtor

Case No. _____
Chapter _____

**DEBTOR'S CERTIFICATION OF COMPLETION OF POSTPETITION INSTRUCTIONAL
COURSE CONCERNING PERSONAL FINANCIAL MANAGEMENT**

Every individual debtor in a chapter 7, chapter 11 in which § 1141(d)(3) applies, or chapter 13 case must file this certification. If a joint petition is filed, each spouse must complete and file a separate certification. Complete one of the following statements and file by the deadline stated below:

- ☐ I, _____ (Printed Name of Debtor), the debtor in the above-styled case, hereby certify that on _____ (Date), I completed an instructional course in personal financial management provided by _____ (Name of Provider), an approved personal financial management provider.

Certificate No.: _____.

- ☐ I, _____ (Printed Name of Debtor), the debtor in the above-styled case, hereby certify that no personal financial management course is required because of [Check the appropriate box.]:
- ☐ Incapacity or disability, as defined in 11 U.S.C. § 109(h);
 - ☐ Active military duty in a military combat zone; or
 - ☐ Residence in a district in which the United States Trustee (or bankruptcy administrator) has determined that the approved instructional courses are not adequate at this time to serve the additional individuals who would otherwise be required to complete such courses.

Signature of Debtor: _____

Date: _____

Instructions: Use this form only to certify whether you completed a course in personal financial management. (Fed. R. Bankr. P. 1007(b)(7).) Do NOT use this form to file the certificate given to you by your prepetition credit counseling provider and do NOT include with the petition when filing your case.

Filing Deadlines: In a chapter 7 case, file within 60 days of the first date set for the meeting of creditors under § 341 of the Bankruptcy Code. In a chapter 11 or 13 case, file no later than the last payment made by the debtor as required by the plan or the filing of a motion for a discharge under § 1141(d)(5)(B) or § 1328(b) of the Code. (See Fed. R. Bankr. P. 1007(c).)